

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

U.S. Patent Application Publication 2006/0130311 to Kikuchi and WO 02/00388 to Geiger et al. are examples of the closest prior art of record to the present invention as set forth in independent claim 1. Both of these references have been discussed in detail on the record in previous office actions.

It is firstly noted that the Kikuchi reference is the published version of an application (10/544,192) having a common assignee with the present application, but no common inventor with the present application. The terminal disclaimer filed on November 20, 2007 was sufficient to overcome the double patenting rejection of claims 1-2 with respect to the '192 application. However, such a terminal disclaimer did not overcome the previous rejection based on 35 USC 102(f).

However, the Kikuchi publication does not teach "at least one pallet stocker provided near the pallet exchanger to detachably hold at least one of the pallets in the vertical state" (the "vertical state" having been previously defined in the claim as a "vertical state wherein the vertical work attachment surface remains vertical"), "and wherein the at least one pallet is moved in the vertical state by using the pallet-moving means so as to exchange the at least one pallet between the at least one pallet stocker and the pallet support member" as now set forth in amended claim 1, and thus, for at least this reason, Kikuchi does not anticipate the present invention as set forth in independent claim 1.

Additionally, there is no combinable teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to

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have so modified the teachings of Kikuchi, and thus, for at least the foregoing reasoning, the Kikuchi published application does not render obvious the present invention as set forth in independent claim 1.

Regarding the WO '388 Geiger reference, note that WO '388 is not in the English language. However, U.S. Pat. No. 6,826,821 to Geiger et al. is in the same patent family, and is being relied upon as an English equivalent to the WO '388 reference. Thus, all references to column and line numbers herein are with respect to the '821 patent.

Noting that the Geiger reference has been discussed in detail on the record previously, suffice it to say that Geiger does not teach "at least one pallet stocker provided near the pallet exchanger to detachably hold at least one of the pallets in the vertical state" (the "vertical state" having been previously defined in the claim as "a vertical state wherein the vertical work attachment surface remains vertical") "and wherein the at least one pallet is moved in the vertical state by using the pallet-moving means so as to exchange the at least one pallet between the at least one pallet stocker and the pallet support member". Specifically note that as shown in Figure 4, when the pallets 31 are located in the area labeled 59, i.e., in a "pallet stocker", the pallets are not held in the "vertical state" wherein "the vertical work attachment surface remains vertical", noting that as shown in Figure 4, the pallets 31 in the pallet stocker have workpieces 15 attached to a horizontal rather than a "vertical" surface thereof. Geiger further does not teach that the "at least one pallet is moved in the vertical state by using the pallet-moving means so as to exchange the at least one pallet between the at least one pallet stocker and the pallet support member", nor does it appear that the Geiger pallet moving means is configured to move the pallet "in the vertical state" to exchange the pallet between the pallet stocker and the pallet

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support member, again noting the arrangement shown in Figure 4 wherein the workpieces 15 are located on horizontal surfaces of the pallets when in the pallet stocker area at 59, but are located on a vertical surface of the pallets when on the pallet support member that travels along conveyor path 38 (see Figure 4). Thus, for at least the foregoing reasoning, Geiger does not anticipate the present invention as set forth in independent claim 1.

Additionally, there is no combinable teaching in the prior art of record that would, reasonably and absent impermissible hindsight, motivate one having ordinary skill in the art to have so modified the teachings of Geiger, and thus, for at least the foregoing reasoning, the Geiger reference does not render obvious the present invention as set forth in independent claim 1.

The aforescribed prior art being representative of the closest prior art of record, for at least the foregoing reasoning, the prior art of record neither anticipates nor renders obvious the present invention as set forth in independent claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erica E. Cadugan whose telephone number is (571) 272-4474. The examiner can normally be reached on M-Th, 5:30 a.m. to 4:00 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Erica E Cadugan/
Primary Examiner
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